REMARKS

Claims 1, 2, 5, 6, 8, 11, 13, 15-17, 21, 22, 24, 26-28, 30, 34-40, 43, 44, 48-52, 56, 58, 62, 67, 68 and 71 are pending in the instant application. These claims have been subjected to the following restriction requirement:

Group I, claims 1, 2, 5, 6, 8, 11, 13, 15-17, 21, 22, 27, 28, 30, 50 and 51 drawn to an antibody produced by the hybridoma PTA-5878, PTA-5879, PTA-6146, PTA-6147 or PTA-6629, or an antibody that competes with said antibodies for binding to Lng105 and pharmaceutical compositions comprising such;

Group II, claims 24 and 26, drawn to host cells encoding the antibody produced by the hybridoma PTA-5878, PTA-5879, PTA-6146, PTA-6147 or PTA-6629, or an antibody that competes with said antibodies for binding to Lng105, and a method for producing the antibody comprising culturing the cells;

Group III, claims 34-36, 39, 40, 43, 44, 48 and 49, drawn to a method for treating Lng105 expressing cancer cells in a patient comprising administering an antibody produced by the hybridoma PTA-5878, PTA-5879, PTA-6146, PTA-6147 or PTA-6629 or an antibody which competes with said antibodies for binding to Lng105;

Group IV, claims 52, 56, 58, 62, 67 and 68, drawn to a method of detecting cells expressing Lng105 in a sample

comprising contacting the sample with an antibody produced by the hydridoma PTA-5878, PTA-5879, PTA-6146, PTA-6147 or PTA-6629, or an antibody that competes with said antibodies for binding to Lng105, determining the level of binding or internalization of the antibody wherein binding or internalization of the antibody indicate expression of Lng105; and

Group V, claim 71, drawn to a screening method for antibodies that bind to an epitope bound by an antibody produced by the hybridoma PTA-5878, PTA-5879, PTA-6146, PTA-6147 or PTA-6629 comprising combining a Lng105-containing sample with a test antibody and an antibody produced by the hybridoma PTA-5878, PTA-5879, PTA-6146, PTA-6147 or PTA-6629, determining the level of antibody binding and comparing the level to a control mixture, wherein the level of antibody binding of the antibody produced by the hybridoma PTA-5878, PTA-5879, PTA-6146, PTA-6147 or PTA-6629 to Lng105 in the mixture as compared to the control is indicative of the test antibody's binding to the same epitope that is bound by the antibody produced by the hybridoma PTA-5878, PTA-5879, PTA-6146, PTA-6147 or PTA-6629.

The Examiner suggests that the special technical feature recited in claim 1 is an antibody produced by a hybridoma of ATCC Accession No. PTA-5878, PTA-5879, PTA-6146, PTA-6147 or PTA-6629.

The Examiner suggests that Keolsch et al. (WO 98/22597) teaches antibodies that bind to napsin A suggested to be identical to Lng105. The Examiner suggests that the antibodies of Keolsch et al. would compete for the same epitopes recognized by these antibodies. The Examiner suggest that one of ordinary skill in the art would reasonably conclude that Keolsch et al. antibodies also possess the same structural and functional properties as those of the antibodies claimed. Thus, the Examiner suggests that it appears that Keolsch et al. have produced antibodies that are identical to the claimed antibodies.

Applicants respectfully traverse this Restriction Requirement.

Claim 1 of the instant application is drawn to an antibody produced by a hybridoma of American Type Culture Collection accession number PTA-5878, PTA-5879, PTA-6146, PTA-6147 and PTA-6629 or which competes for binding to a same epitope as the epitope bound by the antibody produced by a hybridoma of American Type Culture Collection accession number PTA-5878, PTA-5879, PTA-6146, PTA-6147 and PTA-6629.

Keolsch et al. do not teach or suggest any deposited hybridomas or antibodies produced thereby. Instead, Keolsch et al. provide very general teachings of antibody production without

any specific examples of antibodies being produced. Accordingly, teachings of Keolsch et al. are in no way enabling for the instant claimed invention and therefore cannot anticipate nor render obvious the special technical feature of the instant invention. "A claimed invention cannot be anticipated by a prior art reference if the allegedly anticipatory disclosure cited as prior art are not enabled." See Amgen, 314 F.3d at 1354, 65 USPQ2d at 1416.

Accordingly, the basis for this Restriction Requirement is flawed as the technical feature recited in claim 1 is clearly special over teachings of Keolsch et al. and the Groups are linked to form a single general concept under PCT Rule 13.1.

Reconsideration and withdrawal of this Restriction Requirement is therefore respectfully requested.

However in an earnest effort to be completely responsive, Applicants elect Group I, claims 1-2, 5-6, 8, 11, 13, 15-17, 21-22, 27-28, 30 and 50-51 with traverse.

Applicants believe this reply to be completely responsive to the Office Action of record.

Respectfully submitted,

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